



SMALL BUSINESS AND ENVIRONMENTAL
ASSISTANCE DIVISION, MC 106
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Small Business **The Advocate**

For and about small businesses affected by environmental regulations

Healthy Environment. Strong Business. Good Sense.

PD-006/99-3

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Enforcement and Y2K: TNRCC Says Y2K No Excuse for Noncompliance

The TNRCC reminds regulated businesses that the "millennium bug" is no excuse for noncompliance with state environmental regulations. Y2K problems do not constitute an "act of God." Violations of environmental rules caused by Y2K computer malfunctions will be pursued under normal enforcement policies.

The Y2K computer problem originated when early programmers saved memory space by identifying dates with only the last two digits of the year. As the year 2000 approaches, many computers and embedded chips may be unable to distinguish between the years 1900 and 2000. Unless these functions are debugged, equipment may operate improperly or shut down completely.

A TNRCC "Year 2000 Information Alert" sent in August 1998 to 50,000 entities doing business with the agency encouraged facilities to "check all your business systems and processes you feel may not be Year 2000 compliant." You may need to make technical adjustments, the alert noted, "to ensure data production or integrity or to assure public health, safety, and welfare."

C² Compliance Commitment Partnership Launched

As a new part of the Site Visit Program, TNRCC is now offering small businesses the opportunity to join the Compliance Commitment (C²) Partnership. Small businesses that have had a site visit and correct all compliance deficiencies identified during the visit are eligible to join. The main benefit of joining C² is a one-year reprieve from routine TNRCC field inspections.

To sign up for free, confidential help in complying with environmental regulations or to learn more about the Compliance Commitment program, call us at 1-800-447-2827. ■

EPA Encourages Y2K Testing by Offering Enforcement Relief

SBA Also Offers Help

The U.S. Environmental Protection Agency (EPA) says it will waive civil penalties and recommend against criminal prosecution for environmental violations caused during qualifying testing to identify and eliminate Y2K problems.

The EPA is particularly concerned about the effects of Y2K problems on drinking water and wastewater treatment facilities, on chemical plants, and on waste disposal operations. It has compiled a packet of information on how to assess and test these and other systems for Y2K problems, and developed a new enforcement policy to

encourage advance testing. The packet also includes a list of resources for resolving problems. The packet is available free of charge from the EPA Office of Small Business Ombudsman at 1-800-368-5888 or through the EPA's Year 2000 Web site at www.epa.gov/year2000.

The federal Small Business Administration (SBA) can provide loans and helpful tips for Y2K testing of computers and equipment. Contact your local SBA office for details about loans. For other information, call 1-800-U-ASK-SBA or check out the SBA's Y2K Web site at <http://www.sba.gov/y2k/>.

The following SBA publications are especially useful: *Y2K Self-Assessment and Checklist for Small Businesses* (<http://www.sba.gov/y2k/indexcheck.html>); and *The Year 2000 Problem* (<http://www.sba.gov/y2k/indexprob.html>). ■

Small Businesses Will Benefit When TNRCC Staff Members Move to Regional Offices

TNRCC's 16 regional offices will soon have technical staff to provide small business and local government assistance. Twenty positions will be moved to regional offices as part of a strategic plan to more directly focus assistance at the point of need. So far, assignments have been made for Austin (Ervin Thomas), Houston (Kit Owens), San Antonio (Sherman Krause), and Harlingen (Jane Scheidler). These staff members have considerable experience with environmental issues and will provide comprehensive outreach and assistance to Texas businesses and communities. The moves will be complete by Fall 1999.



tion approved March 25. The resolution states, "The Small Business Advocate and the Small Business Assistance Program have and will continue to have access to the highest levels of the TNRCC, including the Commissioners and Executive Director."

The resolution signed by TNRCC Chairman Robert Huston and Commissioners Ralph Marquez and John Baker cites the following results: each year the program provides confidential assistance to more than 20,000 small businesses and is committed to helping the more than 100,000 small businesses in Texas affected by environmental regulations.

The resolution recognizes the program as one of the most innovative and effective programs of its kind nationwide for providing recommendations to the TNRCC about regulations that affect small businesses and for ensuring that small businesses have a voice in the regulatory process. ■

TNRCC Resolution Affirms Commitment to Small Businesses

TNRCC commissioners affirmed their support for continuing assistance to small businesses in a resolu-

Fish, Shrimp Farms: Know the Rules!

If you run a catfish farm, shrimp farm, or other aquaculture facility in Texas, you must get the TNRCC's permission to discharge wastewater from your facility. This permission is required under state rules found in Title 30 Texas Administrative Code (30 TAC) Chapter 321, Subchapter O.

Depending on what you raise, how much of it you raise, and how often your facility discharges wastewater, you will need one of these three forms of permission:

- ◆ an individual permit (for the largest facilities);
- ◆ a simple registration; or
- ◆ an exemption (for the smallest facilities).

Most facilities qualify for an exemption, but the rules say that you must prove to the TNRCC that you qualify. To make sure you comply with these and other environmental rules, call the TNRCC's Small Business and Environmental Assistance Division at 1-800-447-2827. ■



YES! I would like to receive Small Business' *The Advocate*

Article V. Section 66C, H.B. 558, 66th Legislature, 1979, requires state newsletters to notify recipients in three consecutive issues that they must formally request the publication in order to continue receiving it. **If you wish to continue receiving Small Business' *The Advocate*, please return this form to:**

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UPCOMING EVENTS:

Small Business Advisory Committee (SBAC) Meetings

August 24—Dallas SBAC

August 25—Fort Worth SBAC

September 16—Houston SBAC

September 23—Golden Triangle SBAC, Beaumont

SBACs give small businesses in Texas a voice in the TNRCC's regulatory process and help promote environmental quality in tandem with economic growth. The TNRCC's Small Business and Environmental Assistance Division coordinates quarterly SBAC meetings where members comment on existing and proposed environmental policies and programs and their impacts. SBACs also serve as forums to educate community businesses on environmental rules and how to comply with them.

SBAC members include small business leaders, environmental consultants, and representatives of trade associations and government organizations. Committees currently operate in Beaumont-Port Arthur, Dallas, Fort Worth, Houston and San Antonio. For information on joining an existing SBAC or forming a new one in your area, call 1-800-447-2827.

The Small Business Advocate is published bimonthly by the Small Business Assistance Program. Comments or suggestions for future articles should be sent to:

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